

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number 09/532,915

Filing Date March 22, 2000

First Named Inventor Masahiko Hayakawa

Art Unit 2826

Examiner Name Ahmed Sefer

Attorney Docket Number SEL 170

RECEIVED

SEP 21 2004

OFFICE OF PETITIONS

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☒ Other petition to withdraw from issuance

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 50/1039

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☒ Other petition fee

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Mark J. Murphy

Registration No. (Attorney/Agent) 34,225

Signature

Date September 16, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type) Cristine M. Noll

Signature

Date September 16, 2004

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

9/22/2004 AKELLEY

2 FC:1801

GRANGER COOK, JR.  
JOHN L. ALEX  
DANIEL M. RIESS  
EUGENE M. CUMMINGS  
JAMES S. PRISTELSKI  
GARY W. McFARRON  
RAYMOND M. MEHLER  
EDWARD D. MANZO  
JOEL H. BOCK  
STEPHEN B. HELLER  
DAVID LESHT  
ANDREW G. KOLOMAYETS  
MARK J. MURPHY  
MICHAEL J. McGEE  
DAVID M. MUNDT  
RENÉE C. BARTHEL  
LOUIS J. ALEX  
JEANA R. LERVICK  
MICHAEL D. ZARONIAS

**COOK, ALEX, McFARRON, MANZO,  
CUMMINGS & MEHLER, LTD.**

ATTORNEYS AND COUNSELORS AT LAW  
INTELLECTUAL PROPERTY MATTERS  
200 WEST ADAMS STREET - SUITE 2850  
CHICAGO, ILLINOIS 60606

TELEPHONE  
(312) 236-8500

FACSIMILE  
(312) 236-8176

EMAIL  
FIRM@CMMCM.COM

**RECEIVED**

SEP 21 2004

**OFFICE OF PETITIONS**

September 16, 2004

OF COUNSEL  
FRED S. LOCKWOOD  
WILLIAM H. MAGIDSON  
DANIEL C. McEACHRAN  
EDWARD M. KEATING

**VIA HAND-DELIVERY**

Ms. Francis Hicks  
Office of Petitions  
US Patent Office  
Crystal Plaza 4, Room 3C 23  
Alexandria, VA 22313-1450

Re: US Patent Application  
"Semiconductor Device and Method  
For Manufacturing the Same"  
Serial No: 09/532,915  
Filed: March 22, 2000  
Our Docket No: SEL 170

Dear Ms. Hicks:

Enclosed herewith for filing, please find the following documents:

- Petition to Withdraw from Issuance (37 CFR §1.313)
- Request for Continued Examination (RCE)
- Amendment G (After Allowance)
- Return post card

Please charge Deposit Account No. 50/1039 for any fees due in connection with this matter.

Respectfully submitted,

  
Mark J. Murphy

Enclosures